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THE
PROVINCIAL PARLIAMENT

OF

NOVA SCOTIA,

ITS

POWERS AND PRIVILEGES CONSIDERED,

WITH

**REFLECTIONS UPON THE CONDUCT OF THE GOVERNMENT LED
BY SECY VAIL, WHO MOVED THE "PREVIOUS QUESTION"
ON THE EVENING OF MARCH 19, 1872, IMMEDIATELY
AT THE CLOSE OF THE SPEECH OF**

**HON. MR. BLANCHARD,
LEADER OF THE OPPOSITION IN THE HOUSE OF ASSEMBLY, WHO
HAD MOVED THE FOLLOWING RESOLUTION:**

RESOLVED, That a Committee of this House, with power to send for persons and papers, be appointed to enquire into and report upon the payment of \$6,710.94 to Robert Boak, Junr., in the year 1869, and how the said sum was expended; and also into the appropriation and expenditure of \$3,000, authorized to be expended on Plaister Cove Wharf; and that such papers as have been laid upon the table of the House be referred to said Committee.

CONCLUDING WITH

MR. BLANCHARD'S SPEECH.

PROVINCIAL PARLIAMENT

NOVA SCOTIA

POWERS AND PRIVILEGES CONSIDERED

1872
(18)

MRS. BLANCKHARD'S REPORT

B 2331

PROVINCIAL PARLIAMENT

OF NOVA SCOTIA.

ITS POWERS AND PRIVILEGES.

INTRODUCTORY.

"Freedom of speech in Parliament," says a modern essayist, "is an essential part of the liberties of Englishmen. It was guaranteed by the bill of rights."—*Todd's Parl. Gov.*

BURKE says, "it is their privilege," speaking of the House of Commons, "to interfere by authoritative advice and admonition upon every act of Executive Government without exception."—*Russ. Eng. Con. p. 151.*

"It is constitutional and agreeable to usage for the House of Commons to declare their sense and opinion respecting the exercise of every discretionary power which, whether by act of Parliament or otherwise is vested in any body of men whatsoever for the public service."—*Parl. Hist. vol. xxiv. pp. 534, 571.*

"That the House had a constitutional power of enquiry into the conduct of every department of the Government with a view either to censure or punishment, was unquestionable. And whenever a case was made out strong enough to warrant a suspicion of abuse, that deserved either censure or punishment, he should ever hold it to be the indispensable duty of the House to proceed to enquire."—*Pitt, Prime Min. 1788.*

And Mr. Fox, on the same occasion remarked "that it was the constitutional province, and the undoubted duty of the House, to watch over the Executive departments, and where they had cause to suspect abuse, to institute an inquiry with a view either to censure or punishment."—*Parl. Hist. vol. xxvii. pp. 277, 281.*

And so late as 1863, Lord Derby declared it to be a position which could not be gainsaid, "that every act done by the responsible ministers of the Crown, having any political significance, is a fit subject for comment, and if necessary for censure in either House of Parliament." And Earl Russell entirely coincided in this doctrine.—*Harvard's Debates, vol. clxxi. pp. 1720, 28. See May Con. His. vol. 1, p. 458; and also Todd's Parl. Govt. vol. 1, pp. 253-4.*

Such are the authorities that underlie this question—the right of parliament to inquire into all matters that concern the public service, or the conduct of any government. Without such a right clearly and distinctly defined, the control of the Commons over the Executive Government would be a myth indeed.

But, says Mr. Secretary Vail, the act called in question by the foregoing resolution—the payment of the sum of \$6710.94, if wrong, was done during the existence of the late parliament, and had the sanction of the Government of that day. Admit that to be so, does it justify the present House of Assembly and the present Government—among whose members are several who themselves were parties to the act—in refusing an investigation into the circumstances under which so flagrant an outrage was perpetrated? Whence and from what source, and with what sanction, let us now enquire, is this slavish doctrine for the first time propounded to a British people? Is there any Statute of Limitations which protects or shelters the public minister who unauthorised puts his hand into the public Treasury and deliberately abstracts the people's money? When, in England, an emergency suddenly arises which requires such a stretch of power, one of the first acts of the Government when Parliament meets, it is well known, is to procure a "Bill of Indemnity," for such an act. But Vail and his colleagues smile at, if they don't despise, such an old fashioned doctrine as that. They tell us, that no subsequent Parliament has the constitutional authority to inquire into the acts of a preceding Parliament, or of the Govern-

ment that then prevailed in the country. Had the late election placed the present Opposition in a majority, instead of a minority, what would such an argument then have availed? Is it nothing that the minority of one in 1871—so soon as the people had had time for partial reflection, suddenly became a minority of 14? Is it not among the possibilities now impending that that minority, if a general election occurs in the meantime, will long before 1875 become a majority competent to deal with a class of men who claim that "might is right," and act up to it—who because they can command a majority in the House, deny the right of any minority, or of a subsequent parliament, to investigate, much less censure, the acts of a former parliament or Government? We shall see.

English Parliaments hold a very different doctrine from that here propounded, as we shall now proceed to show. Turn to May's Constitutional History of England, vol. 1, p. 388: there we find that in the year 1768 Wilkes was elected for Middlesex, and by a majority vote was expelled from the House of Commons. Lord Chat-ham, in an ever memorable speech on the 9th January, 1770, moved a resolution denouncing the proceedings of the House of Commons, and declared that "they had betrayed their constituents, and violated the Constitution." The motion was negatived, just as this motion of Mr. Blanchard's has been negatived. It certainly was, we are ready to admit, no personal merit of Wilkes that evoked such stirring denunciation, ending as it did in the breaking up of the Duke of Grafton's administration.

But what followed? Wilkes was again returned member for Middlesex, and took his seat, and now in this new parliament he moved "that the Resolution which had declared his incapacity, be expunged from the journals as subversive of the rights of the whole body of electors." On that occasion he secured 171 votes, and among the names were those of Sergeant Glynn, Sir George Saville and Mr. Wedderburn.

He renewed this motion in 1776, in 1777, in 1779, and in 1781. At length in 1782 on the third of May he proposed it for the last time and with signal success. The motion prevailed by a triumphant majority of 68, and by order of the House, "all the declarations, orders, and resolutions, respecting the Middlesex election were expunged from the journals, as being sub-

versive of the rights of the whole body of electors of the Kingdom."

Now Mr. Vail, and those into whose hands this little pamphlet may fall, listen to what Mr. May, one of the ablest writers on Parliamentary history, has left on record in connection with this memorable event. "Thus," says May, "at length this weary contest was brought to a close. A former House of Commons *too eager in its vengeance* (mark the language) had exceeded its powers, and now a *succeeding Parliament reversed its judgment*. This decision of 1782 stands out as a *warning* to both Houses to act within the limits of their jurisdiction, and in strict conformity with the laws. An abuse of *privilege* is even more dangerous than an abuse of *prerogative*. In the one case the wrong is done by an irresponsible body, in the other the ministers who advised are open to censure and punishment.

Here we have the whole constitutional doctrine, as to the rights of parliament, settled; and for about a hundred years it has never been called in question—never till this luminary, the member for Digby, with his pliant majority in little Nova Scotia, gives it a flat denial. "Dressed in a little brief authority," such men as the Provincial Secretary may propound, and perhaps enforce for a time, his dangerous and unconstitutional dogmas, and a servile majority may inconsiderately back him up for a while; but his fast waning influence already casts its shadow before—full surely indicating the hasty collapse of an organization sustained by such unsubstantial principles.

Just as surely as Wilkes persisted until he established the principle that a subsequent House of Commons had the right to review the acts of a preceding one, and to condemn and expunge them if necessary, just so surely at some not at all remote day, the constituencies of Nova Scotia will be represented by statesmen who will vindicate their rights, and expunge from the Journals of the Assembly the entries connected with this high handed unparliamentary proceeding. No one need doubt that session after session this question will be raised, and Mr. Secretary Vail will be required to keep his followers in severe training if he is able to ward off successful inquiry, until the next General Election. When the Government, and Mr. Vail as leader in the Assembly, at a succeeding ses-

sion undertake to grapple with this question, the public will require a higher warrant than the bald, unsupported assertion of a man so recently emerged from obscurity as the present Provincial Secretary, to convince them that the House of Assembly in the present year has no right or authority to examine into the proceedings of the House and Executive Government of the past season. A deep and an ever-increasing interest has already attached to this proceeding, and the principle it involves, that will not be stifled outside the Provincial building, by moving the "Previous question," no matter what outrages upon the Constitution unreasoning majorities may arrive at within. Mr. Vail may at once begin to reconcile himself to the task of meeting this matter squarely, when it is next moved. He will then be called upon for his authorities in opposition to those cited above, and be required to explain why rights so dear to Englishmen, so persistently battled for, so gallantly won by their representatives for the people of England—are not to be enjoyed by Nova Scotians, who have hitherto supposed they inherited them in common with other highly prized privileges—the birthright of Britons?

But during all the debates embracing that long period between 1768 and 1782 there is no record to show that the Government of that day ever even attempted to silence the troublesome member for Middlesex and his ever increasing minorities by moving "the previous question."

But lay all these precedents aside and look at the naked question, as it presents itself, with the eye of common sense. Try it by this simple test, and no reasonable being can refuse to yield to the conviction that Vail's excuse,—that the present House couldn't, and ought not to, discuss, much less undo, what a former House or Government did—was of the most flimsy character. "Logically pursue" his argument and see whether it will lead you. Trace back Mr. Vail's short parliamentary career and see how inconsistent he can be with himself. If his theory be a correct one, then let us ask what right has this Legislature to discuss the utility of any Law passed by a previous Legislature, or in a previous Session—and *a fortiori* what right would any Legislature have to repeal any, even the most injurious and absurd Law which a former Legislature may have thought proper to enact? We venture to assert that at every Session since Mr. Vail obtained a seat in

the House, some Law sanctioned and adopted by a former Legislature has been discussed, often modified, and perhaps wholly repealed, and that he was a party to it, and never moved "the previous question." Take Mr. Vail's view of the doctrine, which he by his servile majority forced upon the Opposition, and let us ask him what right had he, or his late party, to send delegations across the Atlantic to ask the Imperial Parliament to undo what they had formerly adopted; and repeal the "British North America Act 1867"? Again suppose Mr. Vail or Mr. Annand should some day be attainted of "HIGH TREASON"—innocently of course we mean—how would he appreciate the application of the "previous question" on a motion to repeal the attainder, in a subsequent House, to prevent discussion on the ground that that was the act of another Parliament—and therefore, according to the ugly precedent he himself had established, it was not the Province of a succeeding Legislature to deal with it.

And here it must be explained to the general reader what the "previous question" means.—There is a rule in the English Parliament as there is here, and in all other Countries where constitutional Government obtains, whereby if a minority determine to abuse the liberty of free debate, and persist in a concerted scheme, after a question has been fully and fairly argued out, to prevent a decision being arrived at,—there is what is called "the previous question," and which is enforced by any member rising and moving "that the question be now put." This seconded, stops all further debate, and compels an immediate division of the Assembly. There is no doubt but it is a wholesome restraint upon a factious minority, who have exhausted not merely all argument applicable to the subject of debate, but all reasonable patience as well.

It is rarely resorted to however. It was never moved in any Parliament, British or Colonial, before under circumstances such as existed when Secretary Vail moved it on the — day of March, 1872. No record can be found of any such abuse by a majority, of "the previous question" in any Journal of any Parliament, British or Colonial. No instance where, debate was stifled at its very inception by such a motion; so gross an outrage was never before perpetrated in a civilized Country. Admit, if you choose, that Vail was not much versed in Parliamentary lore; that he

was sincere in thinking that it was not competent for this present House to review the conduct of a previous House, or its Committees, yet who can excuse him or his Government, for this unexampled outrage upon a Parliamentary Opposition who had not opened their lips, nor given expression even to one sentiment in connection with the Resolution submitted by Mr. Blanchard. Is this freedom of debate?

It is true in the present instance he had a majority of 10 or 11 at his back; in 1871 he could have commanded 32 or 33, but if he had but one, nay, if it had been a tie, and Speaker Troop had been called upon for his casting vote, and he had voted with the Govt. (as there is little doubt he would) the debate was ended. A majority of one on the "previous question" moved is as effective to gag the minority and defeat all debate as a majority of two-thirds of the House!

Now there is no excuse, none can be given, that could warrant so unjustifiable, so outrageous, so indecent, so wanton an exercise of arbitrary power as characterized the Government in the House of Assembly on the occasion referred to. The power the Constitution placed in their hands to prevent the minority from abusing the liberty of debate in Parliament, the Government themselves abused in a manner inexcusable and unexampled.

There is not a town meeting in Nova Scotia, nor a vestry meeting, nor a Court of Sessions—there is not a debating Club, nor a Temperance Society, where, if, when a speaker had tabled a resolution, an opponent were to practise so unworthy a stratagem to shut the mouths of those about to advocate it, and thereby stifle all discussion—but the cry of Shame! Shame! would burst forth, on every side. And is Parliament to be the only exception? Is it there alone that all sense of honour and manliness and fair play is to be repressed, and the greatest intolerance and injustice to be given full scope by a perverse and unscrupulous Provincial Secretary, aided by an obsequious majority. Are the young men of Nova Scotia to be told at this day, and by this Mr. Vail, that if the Opposition in Parliament hereafter table resolutions which it would be inconvenient or unpleasant for him to debate, all that is necessary to be done is to move the "previous question."

So cowardly an evasion of the responsibility that attach to Ministers of the Crown was probably never before evinced. What! Crush

out, cruelly trample down the God-given principle of reason, of debate by a resort to so dastardly a dodge as this? Strangle a discussion on so vital a question before the Seconder of the resolution had commenced his address! It was an insult to every elector in Nova Scotia. Had the Government no case, no facts, no arguments to oppose to this attack?; or had they no advocates who could state their defence and make out a justification for what they had done, with which the Country would be satisfied? Where was the Attorney General on this memorable occasion? Were all the Government supporters destitute of "minds of their own?" "Dumb dogs" every one of them—but Vail:—and we have shown what his defence was—the "previous question," and that only.

Never before did a politician make so grand a mistake as Mr. Vail the day he decided to drag his majority through such a slough, and cover him and them with such richly merited odium. Will it be imagined for a moment even that the veteran sires of the sturdy generation of young men who are so soon to wield the destinies of this Country—that those veterans who have witnessed the fierce onslaughts of a generation who have mostly passed away—and the soul-stirring repulses with which these were met by their opponents, when debates ran high in that old House of Parliament, and nobody ever heard of the "previous question"—think you, we repeat, that either fathers or sons will be satisfied that such degeneracy shall at this period of the Country's history be palmed off upon their intelligence for acts of Statesmanship? Many, still surviving, remember the field days of former times when Uniacke, Huntington and Doyle, and Stewart, of past renown, and Johnstone and Dodd, and Howe and Young, and others of present fame, with galleries and lobbies crowded to excess, held Halifax audiences spell-bound whole nights,—and the press forthwith with wind-like wings, as it were, carried the echoes of the stirring debates to the remotest sections of the country. Would Uniacke, or Huntington, or Johnstone,—Howe, or Young, or Tupper, have moved the "Previous question," before the debate was fairly opened, meanly to shelter themselves from thrusts—no matter how trenchant they would have been, and no matter how formidable or well aimed—threatened by their opponents? No, they were above such an act. They would have gone down, would have succumbed to an adverse vote, would have cheer-

fully accepted a dissolution; chaos even—anything at all but a resort to the "Previous question." No man but W. B. Vail was ever found, or ever will again be found, in this country, standing high-priest to mumble and jabber his incantations while he sacrificed the dearest rights of our common country, and denied the privilege of speech, or of being heard, to the parliamentary opposition.

And why? Lest the wretched and shattered covering which half hides one of the most wicked outrages ever committed upon the public revenues of a free country, should be torn from their shoulders, and the Annands, and Vails and Beaks of the time should have been exposed, like the Tammany thieves of New York who plundered their city treasury, and held up to public execration.

The "Previous question" has, for the present, operated to respite the guilty horde who dare not let the sunshine of argument and reason penetrate the dark recesses where this scheme for plundering the public treasury was plotted. But it affords only respite—nothing more. Public opinion will take no such proceeding as that as satisfactory, when the charge is that the public treasury has been unlawfully invaded, and that by the very men who are sworn to protect it.

Before twelve months elapse, this resolution will be moved again in the same place, and again and again if need be, till the right prevails—till

the majesty of the freedom of speech, and liberty of debate, are once more vindicated in the halls of our Nova Scotia Parliament.

Possibly there may be some excuse to be urged on behalf of those constituting the majority on that division—those who now for the first time sit in Parliament. They may not have appreciated the responsibility, nor very clearly have foreseen the consequences to result from such an act of tyranny, and of folly. But what excuse can be urged for Morrison, for DesBrisay, for Atty.-General Smith, Robertson and one or two others who clapped their hands and cheered when they foolishly imagined the minority was forever annihilated by this clever trick of their artful Secretary! They knew, every man of them full well, that this was a deadly blow aimed at the constitution and liberty of the Country. That Constitutional Government could not exist without a Parliamentary opposition, and that an opposition could not breathe in an atmosphere so polluted, so fetid as that where the wave of a Master's hand summons his willing vassals to his aid, and by means of the "previous question" enables him to silence controversy, evade censure, defy exposure and avoid the punishment due to atrocious guilt—and all within the sacred walls of Parliament itself.

But the reader has already too long been detained from the luxury of reading a speech which requires no eulogy here—and speaks for itself.

MR. BLANCHARD'S SPEECH.

Mr. BLANCHARD spoke as follows—If there be any business which the Government or any private man has desire to bring forward I am not disposed to introduce a debate which might lay me open to the charge of retarding the public business. I have never seen a session in which so much routine business has been got through in so short a space of time,—but so far we have had little or nothing but routine. The Government, however, have the right to claim precedence for their measures, and I assume that if they had any to bring forward they would have done so. I repudiate, therefore, the charge of wasting time because the House has nothing to do and if it were not for the opposition the house would be adjourned every day after sitting for a couple of hours, members would not be earning their pay, and instead of listening to the sweet tones of the Prov. Secretary would be found wandering about the streets and perhaps getting into mischief. They are here however to listen to what we have to say, and I hope they will discuss this question with all fairness and with a disposition to confine their remarks to the point in issue. I understood the Prov. Secretary yesterday to refuse the assent of the Government to the appointment of the Committee which I move for to-day under the resolution of which I gave notice a few days ago. The question preceding it was in the following terms:—

"Mr. Blanchard requests that the Government would lay upon the table of the House, all Vouchers, Accounts, and other papers connected with the payment or appropriation of the sum of \$6710.94 paid to Robert Boak, Jr., Esq., in 1870.
4th March, 1872."

Before that could be answered the Hon. member for Colchester, Mr. Morrison, by preconcert, I assume, with the Government laid on the table a demand for certain other papers and the Prov. Secretary in the discussion which followed, gave the House to understand that while he was willing to

bring down both sets of papers he did not wish his action to be drawn into a precedent and he did not feel himself bound to lay on the table papers which had already passed under the review of a committee, for further examination. I admit that he was not bound to lay either set on the table, although he might have laid himself open to fault-finding if he had refused to do so, but he said he did it because there had been a great deal of discussion about this matter in the press, and he was determined that it should be "settled once for all." He showed a disposition to retaliate and to say to me "you are as bad as I am because you took \$3000 and expended it on Plaister Cove wharf." We often heard little boys on the street saying "you are" so and so,— "you are another" and that is the answer which the Government has given me. I said "your Prov. Secretary, took \$6,710 out of the treasury and expended it improperly," and he answers "so did you." Is that any answer? But see, Mr. Speaker, how nicely the whole thing fitted in. What inspired the motion about the \$3000? Was it not that "that troublesome fellow must be taught not to dare to question what we are doing?" Was not their answer "If we went up to our shoulders in the treasury you went up to your elbows—if we took \$6,710.94 you took \$3000." Is that any reason to satisfy the House why this story of the \$6,710.94 should not be allowed to stand on its own merits? But nothing could have given me greater pleasure than for the Prov. Secretary to put upon the table the papers relating to the expenditure of \$3000. I am prepared to meet a Committee on that question and to vindicate my personal honor and the honor of the Government with which I was connected. Let the Government ask a Committee of the House—let them take any three honorable men from their own side of the House and I will prove to their satisfaction that not a farthing of that money soiled my fingers or went for electioneering expenses or was expended under the pretence of repaying sub-

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scriptions. Let the Prov. Secretary shew if he can that a shilling of public money passed through my hands for other than legitimate purposes. Before I conclude I will shew where the Government took this \$6,710.94 from, what they did with it, how they laughed at the House and how they dipped their hands into the Treasury, under the pretence of repaying subscriptions to wealthy men in Halifax. Did the poor men in the country get their subscriptions returned? The Maritime League was it? The Government tell me I say bad words and refer too often to a certain old gentle man, but if ever there was a league presided over by the spirit of darkness I think it must have been this one. Honorable men subscribed their money for what they believed to be the good of the country, but bye and bye some who are associated with them came whining to the Government and asked to have their money back. What patriots they are? But did they get it back? Not they,—it went somewhere else. We will see where it went directly, but the Government say "we had nothing to do with the League,—we only know the treasurer and are not to say what he did with the money." Let them not shelter themselves behind Mr. Boak, but let them appoint this Committee and let Mr. Boak say on his honor whether the money went back. Let Mr. Boak come before a Committee of this House and say on his honor, I will not require his oath, that the money did not go for electioneering purposes, and that no part of it was spent in Hants or Inverness, and I will be content. Let him declare that the money did not go to Hants to be used in the election there, and my mouth will be closed from this day out. We will see presently how and under what circumstances the money was paid, but I ask as a member of this House whether I had not a right to ask the government respectfully as I did and as I do now, to appoint a Committee to investigate this question. The rottenness may not be with the government but it is somewhere—let us know where it is, and what use has been made of the public money. I deliberately and in my place charge the Government with having paid this money, knowing that it had been or was to be used for election purposes—I assert that it was so used,—and never returned to the parties who subscribed it. I am prepared to prove these assertions, and I challenge the Government to an investigation. Suppose the hon. member for Pictou and I and other members of the opposition,

poor men as we are in comparison with these Halifax millionaires were to subscribe a fund to put out this Government—to obstruct them in every way—to do all we could to unseat them, and to send a delegation for that purpose to Canada or elsewhere. Suppose then, that after we had contributed two or three hundred dollars a piece we succeeded, as I hope we may soon, in turning the Government out; and the hon. member for Pictou was made a member of Government, and I or some other of our friends, Attorney General, and suppose we came to the treasury and said "oh please give us back our money?" Would there be any difference between the two cases? Would we have a right to reimburse ourselves and to repay to Mr. A, Mr. B, and Mr. C, about the streets the amount of their subscriptions? Let members be careful how they introduce such a precedent as that. Thank Providence, corruption has never come inside of these doors that I know of.

HON. PROV. SECRETARY—Oh! oh!

MR. BLANCHARD—I will tell the Prov. Secretary where it did get, though—it got into the Prov. Secretary's office when that warrant was signed for \$6710.94. What did we hear the other day from Prince Edward Island—that model country—"that tight little Island" that stood out against Confederation—whose conduct is so much praised by the Government. A member of the Legislature there placed on the table of the House the sum of \$1000 which had been given him for his vote. Are we to have a scene like that here? I hope not; but we have had the entering wedge inserted. Corruption has begun outside, and the man who had to do with it gets into the Legislative Council. Mr. Boak is the convenient man who stands between the Government and the people to protect the former from the odium and shame that should follow them for taking the public money for electioneering purposes.

HON. PROV. SECRETARY—I doubt that it is in order to refer to a member of the other branch of the legislature.

MR. BLANCHARD—I am speaking of his conduct before he went there, and let me see who will prevent me. Let me see the rule of the House that will prevent me from expressing my view of the man who took that much of the public money and afterwards got his reward. Let not the Prov. Secretary say "oh!" in again reference to corruption entering this House; let him

not forget that standing in this Legislature, at the time when he talks of corruption coming in, were men a hundred thousand times his superior. There were "giants in those days" in comparison with whom he is a very small person—men as far above corruption as they are above him in intellect. Now, if the Government have so good a case respecting this appropriation of \$6710.94 as they say they have, let them give a committee of honorable men to investigate it. Why did they mix up with it that matter of the \$3000 spent on the wharf? Will they deny me the opportunity to clear my skirts in that matter? The Prov. Secretary says he is informed that the money was never spent there, but was spent for electioneering purposes; will he not give me an opportunity to shew him that it was? I beseech him to give me a committee to clear up that doubt—to shew that there is not a particle of doubt existing about it—that it is a mere piece of petty spleen and malice without grounds, and known to the Government to be without grounds. They had not sought the information, and yet they say, "Oh, you took \$3000 of the public money and pretended to spend it on a wharf but we are informed by a gentleman from Inverness that you did not spend it there and we will not give you a committee to ascertain whether that was true or not." One comfort is that whether they give me a committee or not the rules of the House enable me to dare them to appoint a committee on that question, and to shew them and the House under the hand of their own engineer, the man who has their confidence at this moment, that every dollar of that \$3000 was expended in the public service and not by me, because I had no more connection with the matter than as Atty. General of the Government for the time being. I am sorry that the Government have resorted to this piece of petty spleen to make a "fuss and feathers" in order to cover up their own defalcations. I return now to the question of what this appropriation of \$6710.94 was. Let the House know first that it was never in an estimate: there never was a Minute of Council on the subject, for I assume that it would have been here if there was one. The appropriation never saw the light, the Government never passed on it, and the House never passed on it. It appears that a number of gentlemen actuated by a desire to frustrate and prevent the confederation scheme, subscribed money to send a delegation to England, and we are told by the Prov. Secretary that

Mr. Howe went and wrote that more money was wanted. In answer to that, \$5997 was sent—such a sum as in the "straitened condition of the finances" it was hardly to be expected that the Government could pay. Who gave that money? Messrs. Boak, Northup, Stairs, Power, Jones, the Honorable (as he should have been) J. B. Duffus, Messrs. West, and Gibson. These men gave the principal part of the money; they had a perfect right to do as they pleased with their own and could afford to give it for the promotion of any chimerical idea. They could give it for any object which they considered for the good of the country—but when they had once given it—? What patriots they were to ask it back? We have all heard about an Indian gift—"I give you this basket for nothing, now give me sixpence for nothing!" If this subscription was not an Indian gift, I do not understand what is. They applied to get their money back, but did they get it? Here is as nice a state of affairs disclosed as ever existed, not excepting that scene of the Prince Edward Island member laying down the \$1000 which had burned his fingers. The difference is that here the money was taken and kept, instead of being brought back. The account, which is given among the papers, is dated 28th February. And is the easiest thing in the world to make up—

LEAGUE OF THE MARITIME PROVINCES in acct. with ROBT. BOAK, Jr., Treas.

1867.

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| Feb. 28. | To amounts paid and re- | |
| | mitted Mr. Howe and | |
| | the other delegates to | |
| | England from July 5, | |
| | '66 to date | \$5967.53 |
| | To paid printing, tele- | |
| | graphs & sundry other | |
| | expenses | 743.41 |
| | | \$6710.94 |

CONTRA.

| | | |
|--------------|-------------------------------------|--------------------|
| July 5, 1866 | By amt. of subscrip- | |
| to | | tions received fm. |
| Feb. 28. '67 | sundry parties ... \$6710.94 | |

E. & O. E.

ROBT. BOAK, JR.,
Treasurer.

Halifax, N.S., Feb. 28, 1867.

We were told that this money went to pay the expenses of the delegates, but there is a charge of \$744 for printing telegrams and other expenses. What are they?

Champagne? Where are the vouchers? Nowhere. We have nothing but this bald memorandum. But when we come to the credits we find, "By amount of subscriptions, \$6710.94." What a remarkable account. How strange that the subscriptions should come up to the expenditure, even to the four cents. Does not everybody know that that is humbug? Will not the country look with amazement when they are told that the subscriptions credited by the Treasurer of this Maritime League come within a cent of the amount expended? Now is not that buncombe? Is it not made up; and should not the Prov. Secretary have said to these gentlemen when they rendered this account, "who ever heard of the receipts balancing the expenses to a single cent?" But Mr. Boak puts "E. & O. E." at the foot of the account. That caps the climax,—what more did the treasurer want? According to his account he had got all his money refunded—every dollar of it,—the account was closed, and there was nothing more to be said,—the treasurer ceased to have any further right to the money,—the right to it was with the men who had paid it. This account was given on the 18th Feb., 1867. Nine months elapse, during which the Government are pregnant with this enormous mouse, and then comes the despatch or letter of the 24th Dec., '68, asking that the money should be refunded to the parties who subscribed it.

We are told that this League had branches in the country. I know it had; but did the poor people in the country who gave small sums get them back? One old lady in my county was so influenced by the celebrated Wilkins pamphlet as to believe that butter was going down to sixpence a pound and she subscribed a dollar to the fund, and seeing in the papers that the \$6710.94 had been repaid she came to me to present a petition for her dollar. I told her that the rule giving the Government the initiation of money votes prevented; and I am not sure but that it served her right to lose it. I am not so sure that if the Provincial Secretary had put this \$6710.94 in the Estimate the House would not have assented to it,—that House would have done almost anything.

MR. LANDERS—Hear, hear.

MR. BLANCHARD—The hon. member was in that House and it is not to his credit that he did not wake up sooner and have this matter investigated before. The account

which I have read was put in on the 18th Feby. 1867, while the House was in session and that House was not consulted about it nor was a syllable said until Sept. 1868, when the Prov. Secretary said that he was not sure whether the claim could be paid or not. It would have been more creditable to him not to have paid it. The phrase "to the victors belong the spoils," was a phrase that got into this House at one time and I am not sure that the Government have not been carrying out this principle in this matter. The matter then rested until December 1869 when Mr. Boak as Treasurer of the League wrote this letter:

HALIFAX, N. S., 10th Dec., 1869.

HON. W. B. VAIL,

Prov. Secretary,

SIR:

I beg leave to call your attention to the memorial handed you on 24th Sept. 1868, requesting repayment of the sum of \$6710.94, advanced by a few individuals to pay the expense of the so-called Peoples Delegates to England in 1866 for the restoration of the condition of the Province.

An early reply will oblige

yours respectfully,

on behalf of Committee,

ROBT. BOAK, JR.

This letter was written shortly before the meeting of the House,—now why was not the appropriation put into the estimate at the following session? Mr. Boak says that the money was used to pay the expenses "of the so-called people's delegates." He well might say "so-called,"—they called themselves by that name and took the people's money to repay the contributions of a few rich men in Halifax. I undertake to say if the Prov. Secretary had put that vote in the estimate and submitted it in caucus his supporters would have kicked up their heels and not another word would have been heard about it. Ready as they were to go almost any lengths they would have brought that pressure to bear, which has been used in some other instances, and has caused members of the Government to assume a different attitude. Mr. Boak's application then remained fifteen months unanswered, and the matter remained in darkness until that very convenient time—the last day of the year. Mr. Boak had asked in 1867, he had asked in 1868, and he had asked in December, 1869, and the House never passed on it. It was never in any Estimate, and there

was never a Minute of Council, the matter was never before any body until the last day of 1867, and then this \$6710.74 was paid out.

Hon. PROV. SECRETARY here handed Mr. Blanchard a Minute of Council on the subject of the payment to Mr. Boak.)

Mr. BLANCHARD—Why is the Minute of Council thrown across the table now; the Government would probably have kept it in the dark altogether if they could.

Hon. PROV. SECRETARY—We never supposed you pretended that the money was paid without a Minute.

Mr. BLANCHARD—I asked for all the papers a fortnight ago and they were put into my hands in order that I might examine and digest them, but only now I receive this Minute of Council:

ORDER IN COUNCIL.

21st Dec., 1869.

It is ordered that Six Thousand Seven Hundred and Ten Dollars and Ninety-four Cents, being the sum claimed, be paid to Robert Boak, Jr., by the Treasurer.

Approved of by

(Signed)

H. DOYLE.

The sum claimed for what? Surely the Prov. Secretary should learn how to write Minutes of Council. What did Mr. Boak do with the money? I have heard of curious things in my life—I have heard of money being quietly paid out and receipts given dated afterwards. It must have been a fine thing on the last day of the year when the Treasurer's balance had to be made right, to have this item to put into the account. Far be it from me to say, as the Provincial Secretary said respecting the \$3000, that I am informed it was not fairly spent. I would not say that the money had not gone out in the April before to oppose Mr. Howe's election.

Hon. PROV. SECRETARY—You had better not.

Mr. BLANCHARD—Give us a committee and let them come up and say where it went—that is all I want, and I have promised that if a committee be appointed and the gentleman who received the money declares on his honor and conscience that it was not appropriated for electioneering services, I will never say another word about it. If that challenge be not accepted we will go further and see whether we shall get a committee or not. I appeal to members of this House not to suppress and cover up a trans-

action which the Government themselves should be pleased to bring to the light. I have been charged with misappropriating \$3000 and I ask an investigation. I have charged the Government with putting their hands into the public chest and taking \$6710.94 for electioneering expenses; and I have dared them to appoint a committee to investigate that matter. Are they prepared to accept the challenge? If they are not, I ask members whether it is not one that should be met? I have shown conclusively that the appropriation was never in an estimate; I thought it was not authorized by even a Minute in Council because I did not know the depth of degradation to which the Government had gone. I did not suppose that the hon. member for Cape Breton, Mr. Fergusson, would have voted for an act of such wholesale spoliation—to take \$6710.94 out of the treasury of this "depressed country." What county would not have considered a sum like that given for its roads and bridges a great blessing? But oh no—five or six rich men in Halifax must get it. Well, did they get it? That is just what I want the committee to ascertain. I assert that at least \$2100 of the amount was never returned to those who subscribed it, and I can prove the statement by the three gentlemen who subscribed that amount. Why, then, cannot I get a committee? Because, says the Pro. Secretary, the money was paid to the Treasurer of the Maritime League; what a convenient Treasurer he was; I wish the old lady I spoke of could get her dollar back, but I do not see any prospect of it. Then the Prov. Secretary says that the whole matter was before the committee of Public Accounts. What was the duty of the committee on Public Accounts? That committee consists of a number of gentlemen selected from the Legislative Council and this House for what purpose? To go down into one of the lower rooms and carefully examine the public accounts of this country, to compare the accounts with the vouchers and see that the Treasurer's account is correct; that the accounts of the other officers are correct, that the money has been paid out in the proper way and the proper vouchers given. Is it their business to enquire into the propriety of any grant of money? Not at all. Who ever heard of a committee on public accounts ever finding fault with an appropriation? Their duty is to a large extent simply the duty of a merchant's bookkeeper, they are to go over the vouchers, check the expenditure and see that none of the money has

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not been accounted for. It will not therefore do for the Government to shelter themselves under the wing of the committee on Public Accounts. That committee had nothing to do with the matter. It was not their business to inquire into the purpose for which it was spent or the judiciousness of its appropriation. They had simply to see that the receipt was given and then they were done with it. But what was the committee of public accounts as the House was then situated? My hon. friend the member for Cumberland probably was on that committee, though I am not sure that he was. But he had nothing to do as a member of that committee further than to see that the proper receipts were given for that money. He might it is true have raised this question at that time if he had thought proper. But it was all serene then, the opposition was small. There were no storms brewing then. It has blown up since in a way to make the government shrink and tremble. They may laugh and feel that they are safe within their fortress. They are defended by such a number of guns here that they fear no attack. But thank providence there are guns outside the fortress; there is an army outside of this House; there is the country from Cape Sable to Cape North, and when they hear that the Government has been challenged to allow the investigation of this expenditure,—that there is a public charge made against them,—such as I have made, of spending this money for electioneering purposes, and that they will not give me a committee to investigate that charge, the people of this country will not hesitate to express their opinions upon that refusal. If the people of this country are content to submit to that, what do they send us here for? What am I here for? I am here to watch this Government and to take care that they do their duty, to help them when they do right and to accuse them when they do wrong. That is the object of the hon. member for Pictou and all those gentlemen who are associated with us, and it is well we are here. There never was an institution in this country or any other, not even a religious institution, that did not become tyrannical when it got the power. And it is not to be wondered at that when—by raising a false cry and an issue that has since turned out to be false in this country they got this House almost entirely into their own hands—they became tyrants, and it is no wonder that they put their hands into the public treasury to destroy their old friend and trusted leader. They used that very money

to destroy the man who made them what they are, and without whose aid they never would have been the shadow of a party in this country. They turned bitterly upon that old man when they thought they had him in their power and they took the very money that had been subscribed in this way, to kill that brave, old hero. But they failed, thank God, and he is able to take care of himself yet.

There is another question raised by the resolution before the House and that is the expenditure of \$3000 for a public wharf at Plairter Cove on the Straits of Canso. Now there is this general principle which governs the expenditure of public money. If the government in conducting the affairs of this country should find that money is necessary to carry out any great work, if it is required for necessary repairs, or for the purpose of completing any work which has been begun, and the expenditure upon which would be lost without a further outlay, and if they think proper to advance the required amount from the public treasury trusting to the House to sanction the act when it is placed before them fully and fairly, they have a right to do so. What has been done by this government? We have seen six or seven thousand dollars advanced on the road and bridge service for the county of Inverness. Was it more wrong for me and for the government of which I was a member to advance \$3000 to complete that great public work than it is for this government to advance their tens of thousands of dollars to complete the roads and bridges of this country? I think the government has a perfect and legitimate right to make such advances where they are necessary. There are no papers? He has them in his hand, they now stare him in the face, showing a careful account of every day's and hour's work, and every bar of iron, and every log of wood. The money for that wharf was drawn by Mr. McNab, their own engineer, and expended by him. With the expenditure of the money I had nothing to do, either as a member of Government, or as a member of this House. Mr. McNab was the trusted agent of the Government of that day, and is now the trusted agent of the present Government. That gentleman is above all suspicion, a hundred thousand times above the suspicion that attaches to the Government themselves. He has gone through every change of Government of his country and still he retains his position. The money was placed in the hands of that gentleman, and yet I am to be told it was spent for electioneering purposes. Did Alexander

McNab spend that money over the county of Inverness for such a purpose? Was he the man to do it? No. Give me a committee and let me bring Mr. McNab here and prove to the House and the country, that as far as that public money is concerned, every dollar of it was faithfully and honestly spent, and that I had no more to do with it than the hon. member for Colchester, who called for the papers in reference to that expenditure. I had nothing to do with it in any shape, and yet it is hurled at me across the floors of this House. "It is rumoured," said the Hon. Prov. Secretary, "that this money was spent for electioneering purposes." I have more than a rumour, thank Providence, on the subject of the expenditure of money for electioneering purposes, in the County of Hants. The hon. Treasurer of the Province was charged with it in Upper branch of the Legislature and he did not deny it; he could not deny it. Then there is a rumour that at least \$21,00 of this money never went back to the parties who had subscribed it. That is not a mere rumour. I am prepared to prove it. It is a very easy thing to answer these charges if they are untrue. Let the Treasurer of the Maritime League come into this House before a Committee; lay his hand upon his heart, and say upon my honor and conscience, not one dollar of that money was spent for electioneering purposes in this Province. If he does so, I say again my mouth and that of the Opposition, is shut. I will trust that hon. gentleman's word of honor; I know enough about him to know that he would not dare to make such an assertion. I would ask that gentleman further: "Did the Government know that you intended to use that money for such a purpose?—Did they give it to you because they wanted to refund the money that was spent in the county of Hants, and were they aware of the fact that that money was spent in that county to keep Howe out?" The Government sit still and hear these charges, and they bring the weight of their majority down upon me and say "You shall not have a committee."

Now the hon. Prov. Secretary says that the papers connected with the Plaster Cove wharf were not in his hands at the time the hon. member for Colchester asked his question, but that they were put on the table some time afterwards. But what did they put on the table in answer to my question? We have seen the hon. Prov. Secretary bring down the Minute of Council authorizing this expenditure. They were very ready to give our Minutes to the House, but they wished to keep their own quite secret. Any Minute of Council that they thought would stab that "nasty" leader of the Opposition, they would throw in his teeth, but any that touched their own integrity or honor they would keep carefully in the back ground.—Anything that they thought would help to destroy the reputation of the leader of the Opposition,—whether he is worthy to be their leader or not,—any Minute of Council that could show that I had expended \$3000 of the public money,—any little mean insinuation that I had used the public money for electioneering purposes, was quite in order, but it was another question when he asked for a Minute of Council in reference to this matter. Is this House surprised that having held my place here for years without a breath of a suspicion as regards the public money,

I should feel warmly and speak perhaps harshly when a mean and false insinuation is deliberately thrown out in this House that I have used the public money for my private purposes! Thank God I can say that not a shilling of the public money has ever soiled my right hand and not a single shilling shall ever touch my hand but what I have honestly earned, I hope that every man in this House is as clear as I am on this point. Yet when I come to this House and ask almost on my knees for a committee to examine this charge against me, the Government says, "we won't give it to you." The hon. Prov. Secretary laughs and he may laugh till he is tired. If I should dare to do as he has done in this House and to make a personal insinuation that he had spent the public money for his own ends, there is no man in this House who would be more angry than he. The hon. gentleman laughs at my remark. He can afford to laugh because he is used to such insinuations. That is the only conclusion. He has become so hardened that an insinuation of having spent the public money for such purposes is nothing at all to him. He is used to it, and the Government is used to it. They are like Paddy, who, when he was going to the gallows, said he did not mind it as he was used to it. They are used to it and that is the reason why the hon. Prov. Secretary can say, "ho, ho." It is a matter of no consequence to him. Now the papers laid on the table in reference to this expenditure included a minute of counsel of the 3rd August 1867. I was in the House in 1868 and the Government had these papers there. Why did they not produce them? Why was there no reference made to this matter during the whole session of 1868? And why was it that time down to 1872 these papers and this charge were carefully treasured up and not one word was said about them? It was kept by the Government for the very purpose of meeting me if I should undertake to raise the question of this unauthorized expenditure of \$6,710 by the Government. The hon. gentleman says that the money for the Plaster Cove Wharf was paid in advance. Why not? A man like Alexander McNab can be trusted with \$2000 of the public money to expend upon a wharf. (Hear, hear, from Prov. Secretary). I would sooner trust him with ten thousand pounds than I would trust the hon. Prov. Secretary with a penny. The hon. Prov. Secretary would not spend any money on elections, forsooth. He would be above it—above above it! That pure and immaculate patriot would do nothing of the kind. Digby Pier never got any money. There was never anything spent upon a breakwater in that neighborhood. There never was any of the money for that work drawn before it was expended. (Hon. Prov. Secretary. No.) Not a dollar? If I do not satisfy the hon. gentleman before the House closes, I will be very much surprised. Perhaps I am wrong, however. The \$2000 for the wharf at Plaster Cove was put into the hands of Mr. McNab, and I need not repeat, that as far as the sun is above the earth, so far is that gentleman removed from the suspicion of fingering or misappropriating one dollar of the public money. The elections were all over when that money was paid out. The whole thing was done, and I had my seat in this House. I would like to know then how that money could have influenced the elections. I had run my election and

had come back, to the great surprise of those hon. gentlemen. They came here to take the reins of power, and it was on the 3rd of October that this money was authorized to be expended. Could it then have been spent for electioneering purposes?

Now I have occupied more time than I intended, but I want, hon. members, those who support, as well as those who oppose the Government, in view of the charge that has been made upon my reputation, to carefully inspect these accounts and they will find that every dollar of the money spent upon the Plaister Cove wharf is carefully accounted for, and there is a balance of \$179.63 at this day that has never been paid at all. Yet I am to be told that I shall not have a Committee to investigate this charge. Well I am not very careful about the matter as far as I am personally concerned, whether they give me one or not. When I asked for this Committee I had no expectation of getting it, not that I believed I should not have it, or that I did not think that the Government ought to have a Committee appointed for their own sake and in their own defence. I am well aware that there is an extreme dissatisfaction about the mode in which the public monies have been expended for the last year or two, and particularly in connection with the road and bridge service. Personally, I have little concern in the appointment of this committee, for I do not believe there is a man in this House, nor do I suppose there is a man out of this House,

who believes the insinuation that I have spent that money for electioneering purposes. The hon. gentleman who uttered it well knew that it was a falsehood,—not that I say that he was the inventor of it,—but he must have known that the man who told it to him was a liar and the father of lies. He had no authority to make that statement, but he came and retailed it here in a manner that did him little credit, because in his heart of hearts he did not believe one word of it, and does not now believe. He knows well, and this country knows, that so far as filthy lucre is concerned, as poor a man as I am, I would not touch one shilling of public money for electioneering or any other purposes. I must not take up the time of the House any further, but it is well that the House should have a little element of warmth, and a little debating power thrown into its deliberations. It is well for the Government themselves, well for the Opposition, and well for the country. It does not hinder our work to the extent of half-an-hour. Having made these observations, I beg to make the following resolution:—

Resolved, That a committee of this House, with power to send for persons and papers, be appointed to enquire into and report upon the payment of \$6,710.94 to Robert Boak, Jr., in the year 1869, and how the said sum was expended; and also into the appropriation and expenditure of \$3000, authorized to be expended on Plaister Cove wharf; and that such papers as have been laid upon the table of the House be referred to said committee.